IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

WP(C).No. 14162 of 2007(J)

PETITIONER:

JOSE GEORGE, PALLIPARAMBIL HOUSE,
KALAYANTHANI P.O., THODUPUZHA.

BY ADV. SRI. I. DINESH MENON

RESPONDENTS:

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1. **THE DEPUTY TRANSPORT COMMISSIONER,**
   CENTRAL ZONE, ERNAKULAM.

2. **THE REGIONAL TRANSPORT OFFICER,**
   KOTTAYAM.

BY GOVERNMENT PLEADER SMT. T.B. REMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. RAMACHANDRAN NAIR, J.

W.P. (C) NO. 14162 OF 2007

Dated this the 2nd day of May, 2007.

J U D G M E N T

The petitioner is the registered owner of a stage carriage vehicle bearing registration number KL-6 B 5052. Petitioner submits that he had submitted 'G' Form for the period from 2006 to 2007. But, Exhibit P1 endorsement has been made in the RC Book which is not in tune with the requirement of the petitioner.

2. Aggrieved by the endorsement, he has filed a statutory appeal under Section 23 of the Taxation Act which is produced as Exhibit P2. A stay petition has also been filed as Exhibit P3. The main prayer is to pass orders on Exhibits P2 and P3.

Hence, this writ petition is disposed of directing the first respondent to consider and take a decision on Exhibits P2 and P3, in accordance with law after hearing the petitioner within a period of two months from the date of receipt of a copy of this judgment, if it is received and pending. In the mean time, recovery steps shall be kept in abeyance, if the petitioner pays the tax at the rate applicable to Non-Transport Vehicles within a period of three weeks from today.

This writ petition is disposed of as above.

T.R. RAMACHANDRAN NAIR
JUDGE

smp